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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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SHEET 1 of 2

## COMPLETE IF KNOWN

Application Number	10/725251
Confirmation Number	1935
Filing Date	December 1, 2003
First Named Inventor	Vickers et al.
Group Art Unit	1761
Examiner Name	
Attorney Docket Number	P146

## U. S. PATENT DOCUMENTS

EXAMINER INITIALS <sup>a</sup>	Cite No. <sup>1</sup>	DOCUMENT NUMBER Number - Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Processes or Relevant Figures Appear
/RI/ ↓ ↓ ↓ ↓ ↓ ↓ ↓ ↓ ↓ ↓ ↓ ↓	1	US-2003/0040492A1	02-27-2003	Haschke et al.	
	2	US-4,734,402	03-29-1988	Hashimoto et al.	
	3	US-5,776,524	07-07-1998	Gregory A. Reinhart	
	4	US-5,952,033	09-14-1999	Anantharaman et al.	
	5	US-5,958,898	09-28-1999	Hayek et al.	
	6	US-5,965,175	10-12-1999	Reinhart et al.	
	7	US-6,039,952	03-21-2000	Sunvold et al.	
	8	US-6,093,418	07-25-2000	Sunvold et al.	
	9	US-6,306,44B1	10-23-2001	Sunvold et al.	
	10	US-6,391,375B1	05-21-2002	Janel Fone	
	11	US-6,468,525B1	10-22-2002	Watson et al.	
	12	US-RE8,112E	05-08-2003	Sunvold et al.	

## FOREIGN PATENT DOCUMENTS

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### NON PATENT LITERATURE DOCUMENTS

EXAMINER INITIALS*	Cite. No.†	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	r*
/RII/	22	WILLARD ET AL., "Effects Of Dietary Supplementation Of Fructo-oligosaccharides On Small Intestinal Bacterial Overgrowth In Dogs", Am. J. Vet Res., Vol. 55, No. 5, May 1994 pgs. 654-659	
	23	STRICKLING ET AL., "Evaluation Of Oligosaccharide Addition To Dog Diets: Influences On Nutrient Digestion And Microbial Populations", Animal Feed Science And Technology, Vol. 86, 2000, pgs. 205-219	
	24	ZIEGLER ET AL., "Present Knowledge In Nutrition", International Life Sciences Institute, Seventh Edition, 1998, pgs. 245-155	
	25	GRIFFIN ET AL., "Enriched Chicory Inulin Increases Calcium Absorption Mainly In Girls With Lower Calcium Absorption", Nutrition Research, 23 (2003), pgs. 901-909	
	26	RICHARDSON ET AL., "Developmental Orthopedic Disease Of Dogs", Small Animal Clinical Nutrition, 4 <sup>th</sup> Edition, Chapter 17, pgs. 505-521	
	27	MOROHASHI ET AL., "Nutrient Requirements And Interactions Research Communication", The Journal Of Nutrition, Oct. 1998, 128, 10; Research Library, pgs. 1815-1818	
	28	TAKAHARA ET AL., "Nutrient Metabolism - Research Communication", The Journal Of Nutrition, Jul. 2000, 130, 7; Research Library, pgs. 1792-1795	
	29	MINEO ET AL., "Nutrient Interactions And Toxicity Research Communication", The Journal Of Nutrition, Dec. 2001, 131, 12; Research Library, pgs. 3243-3246	
	30	OHTA ET AL., "Nutrient Interactions and Toxicity", The Journal Of Nutrition, Jul. 2002, 132, 7; Research Library, pgs. 2048-2054	
	31	KEVIN CASHMAN, "Prebiotics and Calcium Bioavailability", Horizon Scientific Press, 2003 4, pgs. 21-32	
	32	TAKASAKI ET AL., "Dietary Short-Chain Fructooligosaccharides Increase Calbindin-D9k Levels Only In The Large Intestine In Rats Independent Of Dietary Calcium Deficiency Or Serum 1,25 Dihydroxy Vitamin D Levels", Int. J. Vitam. Nutr. Res., 70 (5), 2000, pgs. 206-213	
	33	TAHIRI ET AL., "Effect Of Short-Chain Fructooligosaccharides On Intestinal Calcium Absorption And Calcium Status In Postmenopausal Women: A Stable-Isotope Study <sup>1-3</sup> ", Am. J. Clin. Nutr., 2003; 77, pgs. 449-457	
↓	34	FLICKINGER ET AL., "Nutrient Digestibilities, Microbial Populations, And Protein Catabolites As Affected By Fructan Supplementation Of Dog Diets", Am. J. Animal Science, 2003, 81, pgs. 2008-2018	
	35	THE NATIONAL ACADEMIES, "Nutrient Requirements Of Dogs And Cats", Animal Nutrition Series	
EXAMINER		/Roy Issac/	DATE CONSIDERED 08/10/2007

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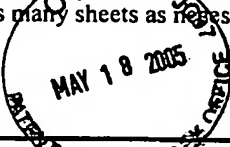
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/RI/	1	US-4,927,811	05-22-1990	Coors Biotech, Inc.	
	2	US-5,294,458	03-15-1994	Maruha Corp.	
	3	US-5,616,569	04-01-1997	The Iams Company	
	4	US-6,596,332	07-22-2003	Nestec S.A.	
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/RI/	5	WO 01/65949A1	09-13-2001	Mars UK Ltd.		
/RI/	6	EP 1 243 273 A1	09-25-2002	Societe Des Produits Nestle S.A.		
/RI/	7	EP 1 125 507 A1	08-22-2001	Tiense Suikerraffinaderij N.V.		
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/R//	8	SUNVOLD ET AL., "In Vitro Fermentation Of Selected Fibrous Substrates By Dog And Cat Fecal Inoculum: Influence of Diet Composition On Substrate Organic Matter Disappearance And Short-Chain Fatty Acid Production", <u>Journal of Animal Science</u> , vol. 73, no. 4, 1995, pgs. 1110-1122	
	9	PROPST ET AL., "A Dose-Response Experiment Evaluating The Effects Of Oligofructose And Inulin On Nutrient Digestibility, Stool Quality, And Fecal Protein Catabolites In Healthy Adult Dogs", <u>J. Animal Science</u> , vol. 81, 2003, pgs. 3057-3066	
	10	SWANSON ET AL., "Supplemental Fructooligosaccharides And Mannanligosaccharides Influence Immune Function, Ileal And Total Tract Nutrient Digestibilities, Microbial Populations And Concentrations Of Protein Catabolites In The Large Bowel of Dogs", <u>American Society For Nutritional Sciences</u> , vol. 132, 2002, pgs. 980-989	
	11	HUSSEIN, H. S., FLICKINGER, E. A., AND FAHEY, G. C., "Petfood Applications Of Inulin And Oligofructose," <u>Journal Of Nutrition</u> , vol. 129, 1999, pgs. 1454-1456, XP002323326	
	12	GRIESHOP CHRISTINE M ET AL: "Gastrointestinal And Immunological Responses Of Senior Dogs To Chicoroy And Mannanligosaccharides." <u>FASEB Journal</u> , vol. 17, no. 4-5, March, 2003, XP002324194, Abstract No. 202.5	
	13	PATIL AVINASH R ET AL: "Supplementation Of Soluble Fiber To Wet Cat Food Affects Fecal Microflora Of Cats." <u>FASEB Journal</u> , vol. 16, no. 4, March 20, 2003, page A654, Abstract XP002324182	
✓	14	OHTA ATSUTANE ET AL: "Prevention Of Coprophagy Modifies Magneisum Absorption In Rats Fed With Fructo-Oligosaccharides," <u>British Journal Of Nutrition</u> , vol. 75, no. 5, 1996, pgs. 775-784, Abstract, XP002324183	

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/RI/	15	OYARZABAL, O. A. AND CONNER, D. E.: "Application Of Deirect-Fed Microbial Bacteria And Fructooligosaccharides For Salmonella Control In Broilers During Feed Withdrawal," <u>Poultry Science</u> , vol. 75, 1996, pgs. 186-190, XP008045301	
	16	HOGARTH, A. J. C. L. ET AL.: "Ion Chromatographic Determination Of Three Fructooligosaccharide Oligomers In Prepared And Preserved Foods," <u>Journal Of Agricultural And Food Chemistry</u> , vol. 48, 2000, pgs 5326-5330, XP002323323, <u>US American Chemical Society</u> , Washington, pg 5327, c. 1, paragraph 4, pg. 5328, c.1 paragraphs 2, tables 3	
	17	CAMPBELL, J.M. ET AL.: "Selected Fructoligosaccharide (1-Kestose, Nystose, And 1-Beta-Fructofuranosylnystose) Composition Of Foods And Feeds," <u>Journal Of Agricultural And Food Chemistry</u> , vol. 45, 1997, pgs. 3076-3082 XP002323324, <u>US American Chemical Society</u> , Washington, pg. 3076, c. 2, paragraph 2, pg. 3077, c. 1, paragraphs 2, 3, tables 5, 7	
	18	ZENTEK, J., MARQUART, B., PIETRZAK, T., BALLEVRE, O., AND ROCHAT, F.: "Dietary Effects On Bifidobacteria And Clostridium Perfringens In The Canine Intestinal Tract," <u>Journal Of Animal Physiology And Animal Nutrition</u> , vol. 87, November 2003, pgs. 397-407, XP002324180	
	19	L'HOMME, C., PUIGSERVER, A., AND BIAGINI, A.: "Effect Of Food Processing On The Degradation Of Fructoligosaccharides In Fruit." <u>Food Chemistry</u> , vol. 82, September 2003, pgs. 533-537, XP00232335, Gbelsevier Science Publishers Ltd., fig. 3; table 1.	
	20	OLI M W ET AL: "Influence Of Fructooligosaccharide (Neosugar) In Oral Electrolyte Solutions (OES) For Treatment Of Secretory Diarrhea," Abstracts Of The General Meeting Of The American Society For Microbiology, The Society, Washington, DC, US, vol. 95, 1995, pg. 205, XP000617800 Abstract	
↓	21	CHANDRA G ET AL: "The Addition Of Neosugar To Oral Electrolyte Solutions (OES) For Treatment Of Acute Diarrhea," <u>FASEB Journal</u> , Fed. Of American Soc. For Experimental Biology, vol. 9, no. 3, 1995 pg. A368, XP002025324, Abstract	
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